TAB/EXHIBIT NUMBER 8

8. Official Warning Letters on Form 7060

Case A 16 SIX 18	berarment 2-8. Filed 02/29/16	Rage of 15 PageID 237 "
ANIMAL AND PLÅI	IT HEALTH INSPECTION SERVICE	TN130373-AC
-	\w_	VIOLATOR
	************************************	Mike McGartland
	COTTON .	ADDRESS (Street, City, State, Zip Code)
• ·	CONTINENT	
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OFF	CAL-WARNING	•
VIOLATION OF	EDESAL EEGULATIONS	
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77 FLO 75 4 4 4 4 1 1		
	re has evidence that on or about the date(s) listed	below, you or your organization committee the
following violation(s) of Federal 1	http://www.mar.com/	
Date of Violation: August 23, 2	012	
15 U.S.C. § 1824(7) - Unlawfu	Acts	
1 • 1/	horse show or horse exhibition; the selling or a	actioning at a horse sale or auction; the
	or sold at a horse show, horse exhibition, or he	
	g in any horse show or horse exhibition; or offe	
	g any equipment, device, paraphernalia, or sub-	stance which the Secretary by regulation
under Section 1828 of this title p	rohibits to prevent the soring of horses."	
	concerning exhibitors - Substances	1
Il substances are prohibited o	n the extremities above the hoof of any Tennes:	see Walking Horse or racking horse while
being shown, exhibited, or offer	ed for sale at any horse show, horse exhibition,	or horse sale or auction, except lubricants
	id mineral oil, or mixtures thereof"	
	,	·
Mike McGartland entered, for the	e purpose of showing or exhibiting, the horse,	"Low on Gin." in the 74th Annual Tennessee
Walking Horse National Celebra	tion in Shelbyville, TN, which tested positive	or Sulfur.
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}		
Titles 7. & 9 Code of Federal Reg	ulations were promulgated to help prevent the sp	oread of animal and plant pests and diseases and
assure the humane treatment of a	nimals. Since the violations of the regulations ca	en have serious and costly impact detrimental to
the public interest, you are warn	ed of this violation. Any further violation of the	sse regulations may result in the assessment of a
	tion. If you have any questions concerning this	warning or violation, please contact the listed
APHIS official		
APHIS OFFICIAL (Name, Title)		OFFICE ADDRESS:
Dт. Chester A. Gipson		4700 River Road
Deputy Administrator		Riverdale, MD 20737
Animal Gare	· ·	
SIG	DATE ISSUED	TELEPHONE NO.
	1 0/18/2013	(301) 851-3751
FOR PERSONAL SERVICE - RECEIVE	D BY: (Name and signature)	DATE RECEIVED:
		•
R CERTIFIED MAIL - RECEIPT NO	<u> </u>	
CIMILE IND PRINT - RECEIF I INC		
APHIS FORM 7060	Previous editions may be used	Rev. 07/06/1999
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Case MITE STATES DEPARTMENTS OF ASSISTED AND PLANT HEALTH INSPECTION SERVICE OF THE LALL WARNING	TN130373-AC VIOLATOR Lee McGartland ADDRESS (Street, City, State, Zip Code)
VIOLATION OF THE CULATIONS The U.S. Department of Agriculture has evidence that on or about the date(s) listed	below, you or your organization committed the
following violation(s) of Federal law:	
Date of Violation: August 23, 2012	
15 U.S.C. § 1824(7) – Unlawful Acts "The showing or exhibiting at a horse show or horse exhibition; the selling or an allowing to be shown, exhibited, or sold at a horse show, horse exhibition, or he purpose of showing or exhibiting in any horse show or horse exhibition; or offer horse which is wearing or bearing any equipment, device, paraphernalia, or subsunder Section 1828 of this title prohibits to prevent the soring of horses."	orse sale or auction; the entering for the ring for sale at a horse sale or auction, any
9 C.F.R. § 11.2(c) Prohibition concerning exhibitors—Substances All substances are prohibited on the extremities above the hoof of any Tenness ting shown, exhibited, or offered for sale at any horse show, horse exhibition, such as glycerine, petrolatum, and mineral oil, or mixtures thereof"	see Walking Horse or racking horse while or horse sale or auction, except lubricants
Lee McGartland entered, for the purpose of showing, a horse, "Low on Gin," in National Celebration in Shelbyville, TN, which tested positive for Sulfur.	the 74th Annual Tennessee Walking Horse
THE CAR COLORS CO. L. C. P. L. L. D. L. L. L. L. C.	م معمد الله الله الله الله الله الله الله الل
Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spansare the business treatment of animals. Since the violations of the regulations of	
the public interest, you are warned of this violation. Any further violation of the	

THIC KKIII the civil p APHIS official. APHIS OFFICIAL (Name, Title) OFFICE ADDRESS:

Dr. Chester A. Gipson 4700 River Road Deputy Administrator Riverdale, MD 20737 Animal-Cary/ DATE ISSUED TELEPHONE NO. 10/18/2013 (301) 851-3751 FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature) DATE RECEIVED:

CENTIFIED MAIL - RECEIPT NO.

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Case 4:16-cv-00163-O Document 2-8 Filed 02/29/16 Page 4 of 15 PageID 239

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE



CASE NO.
TN130373-AC
VIOLATOR

Chris Alexander

ADDRESS (Street, City, Stave, Zip Code)

OFFICIAL WARNING
VIOLATION OF THE DESIGNATIONS

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal law:

Date of Violation: August 23, 2012

15 U.S.C. § 1824(7) - Unlawful Acts

"The showing or exhibiting at a horse show or horse exhibition; the selling or auctioning at a horse sale or auction; the allowing to be shown, exhibited or sold at a horse show, horse exhibition, or horse sale or auction; the entering for the purpose of showing or exhibiting in any horse show or horse exhibition; or offering for sale at a horse sale or auction, any horse which is wearing or bearing any equipment, device, paraphernalia, or substance which the Secretary by regulation under Section 1828 of this title prohibits to prevent the soring of horses."

9 C.F.R. § 11.2(c) Prohibition concerning exhibitors - Substances

"All substances are prohibited on the extremities above the hoof of any Tennessee Walking Horse or racking horse while being shown, exhibited, or offered for sale at any horse show, horse exhibition, or horse sale or auction, except lubricants such as glycerine, petrolatum, and mineral oil, or mixtures thereof...."

Chris Alexander entered, for the purpose of showing or exhibiting, the horse, "Low on Gin," in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, TN, which tested positive for Suffue,

Titles 7 & 9 Code of Federal Regulations were promutgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Dr. Chester A. Gipson
Deputy Administrator
Animal Care

Date issueb

Telephone No.
(301) 851-3751

FOR CERTIFIED MAIL - RECEIPT NO:

APRIS FORM 7060 Provious editions may be used

FORESAMSURAL SERVICE - RECEIVED BY: (Name and signature)

Rev. 07/06/1999

DATE RECEIVED:





CASE NUMBER: TN130155-AC

VIOLATOR:

Mike McGartland

ADDRESS (Street, City, State, ZIP Code): Fort Worth, TX 76107

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 30, 2012 15 U.S.C. § 1824(2) Unlawful Acts

"The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse."

Date of Violation: August 30, 2012

9 C.F.R. § 11.3 Scar Rule

"The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the... scar rule criteria shall be considered to be "sore" and are subject to all prohibitions of... the Act."

Mike McGartland allowed the showing of a horse, "He's Shady in Black," in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, TN, which was found sore.

APHIS OFFICIAL (Name):	OFFICE ADDRES	S:	
Bernadette Juarez	4700 River R	4700 River Road, Unit 85	
		Riverdale, MD 20737	
APHIS OFFICIAL (Title):	DATE ISSUED:	TELEPHONE NUMBER:	
Director, Investigative and Enforcement Services	7/7/2014	(301) 851-2948	

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Rev 7-26-13



, 1 v

CASE NUMBER: TN130155-AC

VIOLATOR:

Lee McGartland

ADDRESS (Street, City, State, ZIP Code): Fort Worth, TX 76107

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 30, 2012 15 U.S.C. § 1824(2) Unlawful Acts

"The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse."

Date of Violation: August 30, 2012

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Lee McGartland allowed the showing of a horse, "He's Shady in Black," in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, TN, which was found sore.

APHIS OFFICIAL (Name): Bernadette Juarez	office Address 4700 River Re Riverdale, Mi	oad, Unit 85
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	7/7/2014	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060 Previous editions may be used

Rev. 7-26-13



cabe number: TN130155-AC

VIOLATOR:

Chris Alexander

ADDRESS (Street, City, State, ZIP Code): Union City, TN 38214

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 30, 2012 15 U.S.C. § 1824(2) Unlawful Acts

"The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse."

Date of Violation: August 30, 2012

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Chris Alexander entered a horse, "He's Shady in Black," in the 74th Annual Tennessee Walking Horse National Celebration in Shelbyville, TN, which was found sore.

	·	
APHIS OFFICIAL (Name);	OFFICE ADDRES	3;
Bernadette Juarez	4700 River Road, Unit 85	
	Riverdale, MD 20737	
APHIS OFFICIAL (Title):	DATE ISBUED:	TELEPHONE NUMBER:
Director, Investigative and Enforcement Services	7/7/2014	(301) 851-2948

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APHIS FORM 7060

Animal and Plant Health Inspection Service

VIA: USPS Certified Mail. Shipping: 1st

February 17, 2016

Mericeing and Regulatory Programs Business Servicas

Business Setvican

Investigative and Enforcement Services

Heedquarters: 4700 filver Road Unit 88 Riverdale, NID 20737 Volus 301.851,2948 Fax 301.734,4828

Eastern Ragion: 920 Mein Cumpus Drive 8uits 200 Rainigh, NC 27605 Voice 819.888,7080 Fax 919.888,7080

Wastern Region: 2150 Centre Avenue Building B-3W10 Fort Collins, CO 80528 Voice \$70.494.7488 Inc 870.494.7487 Lee McGartland 1300 South University Drive, Suite S00 Fort Worth, TX 76107

OFFICIAL WARNING

Re: Reference number TN150128-AC

Dear Sir or Medam:

We believe that you violated the Horse Protection Act (15 U.S.C. § 1821 et seq.) (HPA), as described in the attached Official Warning. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the HPA, and other agriculture laws that help prevent the spread of animal and plant pests and diseases, and ensure the welfare of animals.

After providing you with an opportunity for a hearing, we may impose civil penalties of up to \$2,200, or other sanctions, for each violation described in this Official Warning. Although we generally pursue penalties for this type of violation(s), we have decided not to pursue penalties in this instance so long as you comply, in the future, with laws that APHIS enforces.

What happens if I do not comply in the future? If you violate laws that APHIS enforces in the future, we may pursue criminal penalties, or we may pursue civil penalties for the violations described in this Official Warning, in addition to any penalties we may pursue for any future violations.

What should I do if I have questions? If you have any questions concerning this Official Warning, contact David Dissinger at (301) 851-2803 or call our main office number at (301) 851-2948.

I am a small business owner and have comments or concerns regarding APHIS's enforcement of animal and plant health laws. Who should I contact? APHIS always welcomes comments on how it can better assist small businesses. If you have comments about APHIS's enforcement of animal and plant health laws, please contact me, Bernadette Juarez, the APHIS Small Business Ombudsperson, at 301-851-2948. If you would prefer to comment to someone outside APHIS, you may contact the Small Business Regulatory Enforcement Ombudsperson at http://sba.gov/ombudsman, email ombudsman, or toll free at 1-688-REG-FAIR. The Ombudsperson's office receives comments from small businesses and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small businesses.

Sincerely,

Bernadette Juarez, Director

Investigative and Enforcement Services

147.1



CABE NUMBER: TN150J28-AC

VIOLATOR:

Lee McGartland

ADDRESS (Street, City, State, ZIP Code): Fort Worth, TX 76107

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 26, 2014

15 U.S.C. § 1824(2)(A) Unlawful acts - Showing

The following conduct is prohibited:

(2) The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.

Lee McGartland showed, "She's A Shady Sister" (class no. 120, entry no. 1001) at the 76th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee where the horse was found sore and in violation of the scar rule during a post-show inspection.

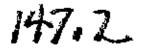
The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

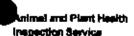
APHIS OFFICIAL (Name):	OFFICE ADDRESS:	
Bernadette Juarez	4700 River Road, Unit 85	
	Riverdale, MD 20737	
APHIS OFFICIAL (Title):	DATE ISSUED: TELEPHON	E NUMBER:
Director, Investigative and Enforcement Services	2/17/2016 (301) 85	1-2948

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VIA: USPS Certified Mail. Shipping: 1st

February 17, 2016

Marketing and Regulatory Programs Business Services

Michael McGartland 1300 South University Drive, Suite 500 Fort Worth, TX 76107

investigative and **Enforcement Services**

OFFICIAL WARNING

Headquarters: 4700 River Road Unit 98 Riverdale, MO 20737

Re: Reference number TN150127-AC & TN150128-AC

Voice 301.851.2948 Pag 301,734,4328

Dear Sir or Madam:

Eastern Region: 820 Main Campus Drive Suita 200 Releigh, NC 27808 Voice \$19,855,7060 Fax 919.855,7090

We believe that you violated the Horse Protection Act (15 U.S.C. § 1821 et seq.) (HPA), as described in the attached Official Warning. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the HPA, and other agriculture laws that help prevent the spread of animal and plant pests and diseases, and ensure the welfare of animals.

Western Region: 2150 Centre Avenue Bullding B-3W10 Fort Collins, CQ \$0526 Voice 970,454,7486 k **970.484.748**7

After providing you with an opportunity for a hearing, we may impose civil penalties of up to \$2,200, or other sanctions, for each violation described in this Official Warning. Although we generally pursue penalties for this type of violation(s), we have decided not to pursue penalties in this instance so long as you comply, in the future, with laws that APHIS enforces.

What happens if I do not comply in the future? If you violate laws that APHIS enforces in the future, we may pursue criminal penalties, or we may pursue civil penalties for the violations described in this Official Warning, in addition to any penalties we may pursue for any future violations.

What should I do if I have questions? If you have any questions concerning this Official Warning, contact David Dissinger at (301) 851-2803 or call our main office number at (301) 851-2948.

I am a small business owner and have comments or concerns regarding APHIS's enforcement of animal and plant health laws. Who should I contact? APHIS always welcomes comments on how it can better assist small businesses. If you have comments about APHIS's enforcement of animal and plant health laws, please contact me, Bernadette Juarez, the APHIS Small Business Ombudsperson, at 301-851-2948. If you would prefer to comment to someone outside APHIS, you may contact the Small Business Regulatory Enforcement Ornbudsperson at http://sba.gov/ombudsman, email ombudsman@sba.gov, or toll free at 1-888-REG-FAIR. The Ombudsperson's office receives comments from small businesses and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small businesses.

Sincerely.

Bernadette Juarez, Director

Investigative and Enforcement Services

147.3



CASE NUMBER:

TN150127-AC & TN150128-AC

VIOLATOR:

Michael McGartland

ADDRESS (Street, City, State, ZIP Coxie): Fort Worth, TX 76107

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: August 26, 2014 (TN150128-AC)

15 U.S.C. § 1824(2)(D) Unlawful acts - Showing

The following conduct is prohibited:

(2) The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.

Michael McGartland allowed, "She's A Shady Sister" (class no. 120, entry no. 1001) to be showed at the 76th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee where the horse was found sore and in violation of the scar rule during a post-show inspection.

Date of Violation: August 27, 2014 (TN150127-AC)

15 U.S.C. § 1824(2)(D) Unlawful acts - Allowing

The following conduct is prohibited:

(2) The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.

Michael McGartland allowed, "Blue's Master" (class no. 139B, entry no. 982) to be showed at the 76th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee where the horse was found sore and in violation of the scar rule during a pre-show inspection.

APHIS OFFICIAL (Name):	OFFICE ADDRES		
Bernadette Juarez	4700 River R	4700 River Road, Unit 85	
		Riverdale, MD 20737	
APHIS OFFICIAL (Yilde):	•	TELEPHONE NUMBER:	
Director, Investigative and Enforcement Services	2/17/2016	(301) 851-2948	

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